

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO.1166

Amending Appellate Rule 503  
concerning motions for  
reconsideration.

IT IS ORDERED:

1. Appellate Rule 503 is amended to provide:

. . .

**(d) Opposition to Motion--Disposition.**

Adverse parties have seven days after service of a motion within which to file and serve memoranda in opposition, counter motions and affidavits. As soon as practical after expiration of the seven-day period, the motion will be considered. A reply memorandum may not be filed by the moving party unless otherwise ordered. Oral argument will not be heard on motions unless otherwise ordered. If a motion is decided before expiration of the time for opposition, the filing of a timely opposition requires that the motion be considered de novo.

**(e) Motions Determined by the Clerk.**

Routine, unopposed motions may be ruled upon by the clerk without reference to the court or a judge or justice. Motions for extensions of time for filing briefs may be ruled upon by the clerk pursuant to

Appellate Rule 503.5. A party who is aggrieved by the decision of the clerk on a motion may file a motion for reconsideration of the clerk's order, which motion will be determined by an individual justice or judge. The clerk may not determine a motion to extend the time for filing a notice of appeal, petition for review, petition for rehearing, or petition for hearing. The clerk may not determine a motion for extension of time to file a document if the time period specified in these rules for filing the document, including any previous extensions, has already expired when the motion is filed.

. . .

**(g) Motions Determined by Full Court.**

A motion which would have the effect of determining the merits of a proceeding, a motion for reconsideration of an order entered by an individual justice or judge, or a motion referred to the full court by a justice or judge, shall be considered by the full court. An individual justice or judge may, in connection with such a motion, enter such orders as may be necessary to prevent irreparable harm prior to the time that the full court is able to consider the motion.

(h) **Motions for Reconsideration.** A party who is aggrieved by an order on a motion may move for reconsideration of the order. A motion for reconsideration must be filed within ten days after the date of notice of the order, as defined in Civil Rule 58.1(c) and Criminal Rule 32.3(c). No response may be made to a motion for reconsideration of an order entered by the full court unless requested by the court, but a motion for reconsideration will ordinarily not be granted in the absence of such a request.

DATED: April 20, 1994

EFFECTIVE DATE: July 15, 1994

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Chief Justice Moore

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Justice Rabinowitz

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Justice Matthews

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Justice Compton

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Justice Eastaugh